

REMARKS / DISCUSSION OF ISSUES

In the non-final Office Action dated December 1, 2011, claims 1-12 are pending in the application and stand rejected. Claims 1 and 9 are independent.

35 U.S.C. § 103

Claims 1, 2, 4-6, and 8-12 stand rejected under U.S.C. § 103(a) as allegedly unpatentable over U.S. Patent 6,580,704 to Wellig et al. ("Wellig") in view of U.S. Patent Pub. No. 2002/0114286 to Iwamura et al. ("Iwamura"). Claim 3 stands rejected as allegedly unpatentable over Wellig in view of U.S. Patent 6,321,095 to Gavette ("Gavette") and Iwamura. Claim 7 stands rejected over Wellig in view of U.S. Patent 6,718,159 to Sato ("Sato") and Iwamura.

Applicant respectfully traverses the rejections.

Claim 1

Applicant's claim 1 includes, in part, the features of:

sending, by said first station to the second station, an invitation message for direct communication carrying said second identifier.
(Emphasis added).

On page 3 of the Office Action, the Office alleges that Wellig, Figs. 1, 4, and text; 42: discloses the features of sending, by said first station to the second station, an invitation message for direct communication carrying said second identifier, as defined in Applicant's claim 1.

However, Wellig appears to relate to a direct mode communication method between two mobile terminals in access point controlled wireless LAN systems. On page 3 of the Office Action, the Office asserts that Wellig discloses: "mobile terminal 1 MT1 sends a direct communication request to its access point AP with the higher layer protocol address of the remote mobile terminal 2 MT2." Emphasis added.

Applicant respectfully submits that Wellig's disclosure of a mobile terminal sending a direct communication request to its access point is completely different from sending, by said first station to the second station, an invitation message for direct

communication, as required in claim 1.

For example, Wellig appears to teach the complete opposite of claim 1. Wellig, Fig. 4 step 42 and col. 9, lines 8-11 clearly suggests that “the initiating MT just sends a connection request message to the associated AP.” Emphasis added.

Upon receipt of the connection request message, Wellig’s AP apparently checks a mapping table and a database prior to issuing to the second station a local unique identifier for communication between the stations. Wellig, Fig. 4 steps 43-48 and col. 9, lines 12-19.

Applicant respectfully submits that sending a connection request message to an associated AP, as suggested by Wellig, is not equivalent to sending, by said first station to the second station, an invitation message for direct communication, as set forth in claim 1. For example, a person of ordinary skill in the art would recognize that a station is not the same as an access point. In Wellig the stations sends to the access point which sends a different message to the other station. Although Wellig describes that a connection request is sent from a station to an associated AP, Wellig does not suggest that a station sends to another station an invitation message for direct communication. Therefore, Applicant respectfully submits that Wellig does not teach or suggest this feature of claim 1.

Iwamura does not cure the deficiencies of Wellig as noted above with respect to claim 1. Furthermore, the Office does not rely on Iwamura for teaching or suggesting the features discussed directly above. Therefore, the combination of Wellig and Iwamura does not teach or suggest every feature of claim 1. Accordingly, claim 1 is patentable over the combination of Wellig and Iwamura under 35 U.S.C. 103(a) and the rejection to claim 1 should be withdrawn.

Independent Claim 9

Independent claim 9 is different from claim 1 and must be interpreted based upon its own specific language. However, claim 9 requires the features of: “said first station generates a second identifier, the second identifier different from the identifier associated with the access point, and sends an invitation message for direct

communication carrying said second identifier to the second station; said second station sends a response message acknowledging the invitation message.”

The Office Action uses substantially the same arguments as set forth with regard to claim 1, alleging that independent claim 9 is unpatentable over the combination of Wellig and Iwamura.

Applicant applies the above arguments with regard to the combination of references to the specific features recited in independent claim 9. As such, Applicant respectfully submits that claim 9 is patentable over the combination of Wellig and Iwamura under 35 U.S.C. 103(a) and respectfully requests the withdrawal of the rejection.

Dependent claims 2, 4-6, 8, and 10-12

Dependent claims 2, 4-6, 8, and 10-12 ultimately depend from and incorporate all the features of an allowable independent claim 1 or 9. Furthermore, each dependent claim includes additional distinguishing features. For each dependent claim, Applicant applies the above arguments from claim 1 to each respective dependent claim. Thus, Applicant respectfully submits that dependent claims 2, 4-6, 8, and 10-12 are allowable at least by virtue of their dependency on an allowable parent claim and respectfully request the withdrawal of the rejection of these claims.

Dependent claims 3 and 7

Dependent claims 3 and 7 ultimately depend upon and incorporate all the features of an allowable independent claim. Furthermore, dependent claims 3 and 7 include additional distinguishing limitations. For each dependent claim, Applicant applies the above arguments from claim 1 to the respective dependent claim. The additional cited references do not cure the deficiencies of the combination of Wellig and Iwamura as noted with respect to the independent base claims. Thus, Applicant respectfully submits that dependent claims 3 and 7 are patentable at least by virtue of their dependency on an allowable parent claim.

Applicant respectfully submits that the rejections of dependent claims 3 and 7

under 35 U.S.C. §103(a) have been traversed and should be withdrawn.

Conclusion

An earnest effort has been made to be fully responsive to the Examiner's correspondence and advance the prosecution of this case. In view of the foregoing, it is respectfully submitted that all the claims pending in this patent application are in condition for allowance.

If there are any errors with respect to the fees for this response or any other papers related to this response, the Director is hereby given permission to charge any shortages and credit any overcharges of any fees required for this submission to Deposit Account No. 14-1270.

Respectfully submitted,

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